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*Attorneys for Defendant
Cigna Health and Life Insurance Company*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MARCO PALLAZI AND PIERANGELA
BONELLI,

Plaintiffs,

v.

CIGNA HEALTH AND LIFE INSURANCE
COMPANY, JOHN OR JANE DOE 1
THROUGH 100, FICTITIOUS NAMES
BEING NATURAL PERSONS AT PRESENT
UNIDENTIFIED, XYZ CORPORATIONS 1
THROUGH 100, FICTITIOUS NAMES
BEING CORPORATIONS AT PRESENT
UNIDENTIFIED, ABC ENTITIES 1
THROUGH 100, FICTITIOUS NAMES
BEING COMMERCIAL ENTITIES AT
PRESENT UNIDENTIFIED,

Defendants.

Civil Action No. 2:22-cv-06278-BRM-AME

**NOTICE OF MOTION TO DISMISS
PLAINTIFF'S SECOND AMENDED
COMPLAINT AGAINST DEFENDANT
CIGNA HEALTH AND LIFE
INSURANCE COMPANY**

RETURN DATE: NOVEMBER 20, 2023

ORAL ARGUMENT REQUESTED

TO: Richard Malagiere, Esq.
Leonard E. Seaman, Esq.
Law Offices of Richard Malagiere, P.C.
250 Moonachie Road, Suite 300A
Moonachie, NJ 07074
Attorneys for Plaintiffs

PLEASE TAKE NOTICE that on November 20, 2023, at 10:00 a.m., or as soon thereafter
as counsel may be heard, Defendant Cigna Health and Life Insurance Company ("Cigna") through

its attorneys, Gibbons P.C., will move before the Honorable Brian R. Martinotti, U.S.D.J., at the Martin Luther King Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, New Jersey 07101, for an Order dismissing Plaintiffs' Second Amended Complaint, pursuant to Federal Rule of Civil Procedure 12(b)(6).

PLEASE TAKE FURTHER NOTICE that in support of the within Motion, Cigna shall rely upon the Memorandum of Law submitted herewith and all other pleadings and papers on file in this matter.

PLEASE TAKE FURTHER NOTICE that at the time and place aforesaid Cigna will respectfully request that the proposed form of Order submitted herewith be entered by the Court.

GIBBONS P.C.

Attorneys for Defendant

Cigna Health and Life Insurance Company

By: s/ Caroline E. Oks
Caroline E. Oks

DATED: October 19, 2023